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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: KNUDSON ET AL. Examiner: UNKNOWN
Serial No.: 10/825,249 Group Art Unit: UNKNOWN
Filed: APRIL 14, 2004 Docket: 13033.4USC5
Due Date: JULY 14, 2004
Title: METHOD AND APPARATUS TO TREAT CONDITIONS OF THE NASO-PHARYNGEAL AREA

CERTIFICATE UNDER 37 CFR 1.8:

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on July 8, 2004.

By:

Name:

Kristine A. Wacek
Kristine A. Wacek

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

23552

PATENT TRADEMARK OFFICE

Sir:

We are transmitting herewith the attached:

- ☒ Transmittal Sheet in duplicate containing Certificate of Mailing
- ☒ Information Disclosure Statement and Form 1449
- ☒ Return postcard

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers or any future reply, if appropriate. Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. A duplicate of this sheet is enclosed.

MERCHANT & GOULD P.C.
P.O. Box 2903, Minneapolis, MN 55402-0903
612.332.5300

By:

Name: Karen A. Fitzsimmons

Reg. No.: 50,470

KFitzsimmons:PLSkaw

Karen A. Fitz



S/N 10/825,249

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	KNUDSON ET AL.	Examiner:	UNKNOWN
Serial No.:	10/825,249	Group Art Unit:	UNKNOWN
Filed:	APRIL 14, 2004	Docket No.:	13033.4USC5
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By:

Name:

Kristine A. Wacek
Kristine A. Wacek

INFORMATION DISCLOSURE STATEMENT (37 C.F.R. § 1.97(b))

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

23552

PATENT TRADEMARK OFFICE

Dear Sir:

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner.

This statement should be considered because it is submitted within three months of the filing date of the above-identified application, which is not an application under 37 C.F.R. § 1.53(d). Accordingly, no fee is due for consideration of the items listed on the enclosed Form 1449.

In accordance with 37 C.F.R. § 1.98(a)(2) and § 1.98(d), copies have been provided only for those items listed on the enclosed Form 1449 that have not previously been cited by or submitted to the U.S. Patent and Trademark Office in parent applications, U.S. Serial No. 10/394,887 filed on March 21, 2003; U.S. Serial No. 10/190,183 filed on July 3, 2002; and U.S. Serial No. 09/636,803 filed on August 10, 2000. Because this application was filed after June 30, 2003, a copy of U.S. Patent No. 6,742,524 B2 listed on the enclosed Form 1449 is not provided.

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that a reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.


Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

Please charge any additional fees or credit any overpayment to Deposit Account No. 13-2725.

Respectfully submitted,

MERCHANT & GOULD P.C.
P.O. Box 2903
Minneapolis, Minnesota 55402-0903
(612) 332-5300

Date: July 8, 2004


Karen A. Fitzsimmons
Reg. No. 50,470
KAF:PLSkaw

FORM 1449*

INFORMATION DISCLOSURE STATEMENT

IN AN APPLICATION

(Use several sheets if necessary)

Docket Number:

13033.4USC5

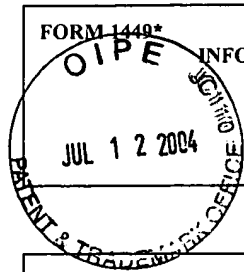
Application Number:

10/825,249

Applicant: KNUDSON ET AL.

Filing Date: 04/14/2004

Group Art Unit: UNKNOWN



U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	3,998,209	12/21/1976	Macvaugh			
	4,803,075	02/1989	Wallace et al.			
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EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant.

FORM 1449* INFORMATION DISCLOSURE STATEMENT IN AN APPLICATION (Use several sheets if necessary)	Docket Number: 13033.4USC5	Application Number: 10/825,249
	Applicant: KNUDSON ET AL.	
	Filing Date: 04/14/2004	Group Art Unit: UNKNOWN

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	5,897,579	04/27/1999	Sanders			
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	6,742,524 B2	06/01/2004	Knudson et al.			

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	Filing Date: 04/14/2004	Group Art Unit: UNKNOWN

FOREIGN PATENT DOCUMENTS							
	DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
	44 12 190 A1	10/12/1995	DE			X	
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	0 706 808 A1	04/17/1996	EP				
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	Brochure, "Snore-Free Nights - Guaranteed!", <i>Your Health News</i> , 2 pgs.
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	Boot, H. et al., "Long-Term Results of Uvulopalatopharyngoplasty for Obstructive Sleep Apnea Syndrome", <i>The Laryngoscope</i> , pp. 469-475 (March 2000).
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	Dalmasso, F. et al., "Snoring: analysis, measurement, clinical implications and applications", <i>Eur. Respir. J.</i> , Vol. 9, pp. 146-159 (1996).
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	Gillette, P. et al., "Pediatric Cardiac Pacing", <i>Cardiology Clinics</i> , Vol. 10, No. 4, pp. 749-754 (November 1992).

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FORM 1449* INFORMATION DISCLOSURE STATEMENT IN AN APPLICATION (Use several sheets if necessary)	Docket Number: 13033.4USC5	Application Number: 10/825,249
	Applicant: KNUDSON ET AL.	
	Filing Date: 04/14/2004	Group Art Unit: UNKNOWN

		Harries, P.G. et al., "Review Article: The surgical treatment of snoring", <i>The Journal of Laryngology and Otology</i> , Vol. 110, pp. 1105-1106 (December 1996).
		Huang, L., "Flutter of Cantilevered Plates in Axial Flow", <i>Journal of Fluids and Structures</i> , Vol. 9, pp. 127-147 (1995).
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		Kasey, K. et al., "Radiofrequency Volumetric Reduction of the Palate: An Extended Follow-Up Study", <i>Otolaryngology-Head and Neck Surgery</i> , Vol. 122, No. 3, pp. 410-414 (March 2000).
		LaFrentz, J.R.L. et al., "Palatal stiffening techniques for snoring in a novel canine model", <i>ARO Abstracts</i> , Vol. 22, Abstrct No. 499, pp. 125 - 126 (February 13 - 18, 1999)
		Lemperle, G., et al., "PMMA Microspheres (Artecoll) for Skin and Soft-Tissue Augmentation. Part II: Clinical Investigations", <i>Plastic and Reconstructive Surgery</i> , Pages 627-634 (September 1995).
		C. Lorenz, "If he Snores - what can you do about it?", <i>Today's Woman</i> , July 1948, p.112.
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